

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL MEMORANDUM

SB 1763 – HB 2218

April 7, 2009

SUMMARY OF AMENDMENT (005471): Deletes all language after the enacting clause. Defines “foreclosure-rescue consultant.” Prohibits foreclosure-rescue consultants from engaging in or initiating foreclosure-related rescue services without execution of a written agreement with the homeowner. Prohibits the attempted charge, receipt, or collection of payment for foreclosure-related rescue consultant services prior to the completion of all services of the foreclosure-related transaction. Adds violation of this part as an unfair or deceptive act under the Tennessee Consumer Protection Act of 1977.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Revenue - Not Significant
Increase State Expenditures – Not Significant

Increase Local Revenue – Not Significant
Increase Local Expenditures – Not Significant

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions applied to amendment:

- Violations of the Tennessee Consumer Protection Act of 1977 are punishable through civil penalties, private rights of action, and as a Class B misdemeanor.
- According to the Department of Commerce and Insurance, any cost related to the increase in complaints to the Division of Consumer Affairs can be accommodated within existing resources without an increased appropriation or reduced reversion.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large, stylized "J" and "W".

James W. White, Executive Director

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